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COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE 62nd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 8 March 1994, at 3 p.m.

Chairman: Mr. van WULFFTEN PALTHE (Netherlands)

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The meeting was called to order at 3.20 p.m.

RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD

(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN

(c) PROGRAMME OF ACTION FOR THE ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR

(d) PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

(agenda item 22) (continued) (E/CN.4/1994/82, E/CN.4/1994/83, E/CN.4/1994/84 and Add.1, E/CN.4/1994/91, E/CN.4/1994/95, CRC/C/16, CRC/C/19, CRC/C/20, E/CN.4/1994/114, E/CN.4/1994/NGO/1, E/CN.4/1994/NGO/17, E/CN.4/Sub.2/1993/31 and Add.1)

1. Mr. LEWIS (UNICEF) said he spoke on behalf of the Executive Director of the United Nations Children's Fund, Mr. Grant, whose obligations prevented him from being present. The Director of the Centre for Human Rights, Mr. Fall, was to be thanked for having invited UNICEF to address the Commission and congratulated on the remarkable work he was doing with limited resources. By its reaffirmation of the indivisibility of children's rights and their high priority in every society and in every family, the World Conference on Human Rights in Vienna had been a landmark not only for human rights in general, but also for children's rights. The Conference had called on States which had not yet done so to ratify the Convention on the Rights of the Child, and he was happy to report that 155 countries had ratified it to date. The goal was to achieve ratification by the remaining 35 by the end of 1995 to mark the fiftieth anniversary of the United Nations.

2. A total of 156 heads of State or Government had signed the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children. No other document had ever been signed by so many leaders. The Plan committed its signatories to improving the lives of children by the year 2000 by achieving measurable goals for health, education and nutrition. UNICEF was most gratified that the Committee on the Rights of the Child used the goals established by the World Summit for Children as a yardstick for measuring compliance with many of the provisions of the Convention relating to children's social and economic rights.

3. He believed that if children's basic needs could be met the international community would be well on the way to solving the serious problems of poverty, overpopulation and environmental degradation confronting mankind on the threshold of the twenty-first century. Children, it was crucial to realize, were the driving force of change.

4. The Child Survival and Development Revolution, the strategy adopted by UNICEF in the early 1980s, had so far saved more than 20 million children and was currently averting the deaths of 4 million children a year. Attainment of the goals set for the end of 1995 would mean the saving of a further

2 million children a year and the virtual elimination both of one of the main causes of mental retardation - iodine deficiency, and of one of the two principal causes of blindness among children - vitamin A deficiency.

5. Among recent developments that had had an impact on children's rights, he welcomed the creation of the post of High Commissioner for Human Rights. UNICEF pledged its full support to Mr. Ayala Lasso and urged him to give all due attention to children's rights and, in particular, to the rights of girls and women, which, as the Vienna Conference had clearly asserted, were central to all human rights. UNICEF also welcomed the decision of the General Assembly to undertake a comprehensive study of the impact of armed conflict on children; it was preparing to work closely with the expert chosen for that important study. Again, girls and women were the preferred targets, since combatants had no hesitation in resorting to rape as a weapon of war. The international community must find ways of protecting children and women caught up in conflicts which traumatized them for the rest of their lives. A further requirement was a total ban - and not just a moratorium - on the production, use, stockpiling, sale and export of land-mines. The some 100 million land-mines sown in a total of 62 countries virtually kept their populations in a state of war, and children were the main victims.

6. In developing the economic and sexual exploitation of children, he appealed to society as a whole to mobilize to protect its younger members against abuse and neglect. UNICEF took very seriously the situation of children in countries affected by sanctions and, while recognizing that sanctions were a necessary tool of international action, felt that proposals for sanctions should henceforth include child impact assessments and make provision for offsetting measures.

7. While calling for better protection for children caught up in wars or exploited in various ways, UNICEF also hoped the international community would not forget the large number of children who were victims of the "silent emergency". The violence they faced was the violence of poverty. It was claiming some 35,000 lives every day, or 13 million per year, in the cruellest war of all, for two thirds of those deaths could be prevented at very low cost. It was the duty of the international community to take up the challenge of protecting all the world's children, for they were humanity's future. The century of the Holocaust and Hiroshima should not be allowed to conclude without every remaining opportunity being taken to make it a century of major progress too.

8. Mrs. EL HAJJAJI (Libyan Arab Jamahiriya) said that her country gave children particular attention and protection, in the realization that that was the best possible investment for the future. There was no discrimination in the provision of care for children, which covered physical, intellectual and social needs. Libyan society paid considerable attention to the educational level of families to enable them to improve their economic and social situation and maintain their cohesion. Her country also took an interest in scientific research into children, applying its results in the light of local and environmental aspirations and Arab society.

9. The specialized institutions in her country included the High-Level Committee for Children which worked with numerous specialists in teaching,

psychology and social work. Of the other relevant institutions, all had as their goals the development and protection of children, including children with psychological or academic problems or children in situations of moral decadence. Also of importance was the protection of children against the effects of foreign influences which exposed them to unsuitable teachings and imposture.

10. Education in her country, which was free up to the end of university, was compulsory until the end of the first cycle of secondary schooling, a period of nine years. Her country had ratified the Convention on the Rights of the Child in April 1993 and had undertaken to comply with it, except for those provisions which might be in contradiction with Islamic law, particularly with regard to matters of adoption.

11. She welcomed the holding of the World Conference on Human Rights in Vienna and the fact that the resulting Declaration stressed the need for universal ratification of the Convention on the Rights of the Child by 1995 so that children's rights became a priority within the United Nations. Her country did not merely protect Libyan children and ensure a proper life for them; it also protected children living outside its borders. It had therefore taken in 1,300 children from Bosnia with 170 teachers and sociologists, and children from the Western Sahara. It also continued to provide relief for destitute children in Somalia and southern Sudan.

12. Although her country was helping various peoples to live in peace, and despite all its efforts on behalf of its own children, it was having to suffer the adverse effects of Security Council resolution 748 (1992). The embargo on the Libyan people affected various sectors of the country's life and in particular pharmaceutical and food products, thus creating an imbalance in the programme of assistance to and protection of children and mothers. That situation was contrary to all principles and to the international human rights conventions. The embargo had prevented the Libyan Arab Jamahiriya from sending abroad numerous ill persons who could not be treated in the country and had also upset the programme of visits by specialists to Libya. The maintenance of medical and electromechanical equipment was also severely disrupted, while delays in the forwarding of pharmaceuticals had caused the deaths of 200 infants and of more than 50 women in childbirth. The programme agreed upon with the World Health Organization had also been disrupted on account of resolution 748, which was preventing WHO from achieving its goals and accomplishing its strategy of "Health for all by the year 2000". The sanctions were therefore having extremely adverse repercussions with regard to human rights. In her opinion, that situation had been deliberately brought about in an attempt to frustrate the Libyan Arab Jamahiriya's desire to meet its domestic and international commitments concerning such rights. The lifting of the sanctions thus constituted a humanitarian responsibility incumbent on the Commission on Human Rights in particular. She urged the Commission to denounce sanctions such as the embargo on air travel, the freezing of capital and the prohibition on imports of spare parts, which she considered to be contrary to the fundamental human rights rules and principles in the name of which the Commission carried out its work.

13. Ms. DERRYCK (United States of America) observed that in all cultures children were considered the world's future, and yet everywhere they were the

victims of starvation, disease and malnutrition although the means existed to solve those problems easily. UNICEF had reported that 190 million children were suffering from malnutrition - in India, for example, 63 per cent of the children were malnourished - with its legacy of illness, inadequate growth and limited development. Fifty million children suffered from iodine deficiency although it could be remedied for 5 cents apiece per year. In developing countries, 3 million children would die of diarrhoeal diseases and 1.5 million of measles in 1994, while 250,000 would go blind for lack of vitamin A which could be supplied for an annual cost of 15 cents per child. There was obviously a direct link between children's health and nutrition and family size and women's access to contraception and family planning. There was also the problem of war; children everywhere played at war, but the reality was anything but a game for far too many of them. Over the past 10 years war had killed 1.5 million children; in addition, millions had been badly wounded and many millions more would bear the psychological scars of war for the rest of their lives.

14. Her country supported the new High Commissioner for Human Rights in his commitment to human rights education and hoped that human rights education for children would form an integral part of his efforts. That was essential if the wisdom and refinement of humanity were to be conveyed to children in a world where, for example, in Liberia 11-year-olds were kidnapped and forced to fight alongside rebel armies and in Bosnia 9 children out of 10 had witnessed death and 7 out of 10 had had their homes shelled. In that connection she quoted from a diary in which a young Bosnian girl voiced her anger against the brutality of war.

15. There were other horrors directed specifically at girls. Her country had long refrained from speaking publicly against genital mutilation, but it was now joining the efforts of women in many regions, United Nations specialized agencies and non-governmental organizations to end such practices. She condemned as murder the practice of allowing baby girls to die while their brothers survived, as slavery the practice of forcing girls into prostitution and sexual bondage and as savagery the neglect which, in countries like the Sudan or Brazil, led to children being abandoned to fend for themselves and sometimes, as they wandered about, to their being hunted for sport like animals. In the roll of shame her own country was no exception: in the United States, 20 per cent of children lived below the poverty line, the rate of immunization was among the lowest in the industrialized world, far too many young people had access to arms and drugs and too many children lived without two parents to nurture them. The country's First Lady Hillary Clinton, a long-time children's advocate, was actively involved in measures to improve the situation.

16. Hearteningly, there were many organizations working to protect children; UNICEF deserved special mention for its consistent combat against childhood disease and malnutrition. Also, many countries were making great progress, particularly Colombia, Oman, the United Arab Emirates, Jamaica, Portugal, Egypt and Sri Lanka, where the infant mortality rate had dropped by 60 per cent since 1980. Those examples proved that a nation need not be rich to take care of its children; what was essential was the political will to act.

17. Mr. ZHAO Yong (China) welcomed the international community's efforts to ensure the implementation of the Convention on the Rights of the Child adopted by the General Assembly on 20 November 1989. The fact that 150 countries had become parties to that instrument made it a firm international legal basis for the protection of the rights of the child. The Programme of Action for the Elimination of the Exploitation of Child Labour and the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography adopted by the Commission on Human Rights at its forty-eighth and forty-ninth sessions respectively in order to implement the Convention should enable the international community to combat those problems effectively.

18. Since China's accession to the Convention the Government had taken steps to protect children's rights, particularly through the adoption of relevant legislation such as the Protection of Minors Act of 4 September 1991, which provided a legal framework for the application in China of the provisions contained in the Convention. To promote effective implementation of the Act, all provinces, autonomous regions and municipalities directly under the central Government had been ordered to prepare detailed programmes for its application in their respective areas by 1995. The Government had also adopted various measures to punish those who employed child labour or participated in the sale of children or in child pornography in China and those who obstructed operations to rescue the victims of such activities. Enterprises illegally employing children or forcing them to perform dangerous work and persons who sexually abused children incurred criminal proceedings. The Protection of Minors Act also restated parents' and guardians' responsibility towards children in their care, prohibited the sale or rent to minors of pornographic books, periodicals or video cassettes and provided for severe punishment of all who violated it.

19. Since ratifying the Convention on the Rights of the Child, the Chinese Government had always complied strictly with its provisions. The Programme Outline of the Development of the Child drawn up in March 1992 set 10 main targets regarding the livelihood, protection and growth of Chinese children. To date, more than 90 per cent of China's provinces, autonomous regions and municipalities had drawn up their programmes for the implementation of the plan. The committee on women's and children's affairs which answered to the State Council would set up monitoring groups to assess the implementation of those programmes, and the results of the assessment would be published. The competent government departments were actively preparing China's first report to the Committee on the Rights of the Child; in it the country would explain in detail how it was implementing the Convention. Although China was a developing country with limited resources, it would continue its efforts to promote the rights of the child. It was ready to exchange information regarding its experiences with other countries and to rectify its shortcomings as far as possible in order to contribute to the efforts to ensure a better future for all the world's children.

20. Mr. MAT (Malaysia) thanked the Special Rapporteur on the sale of children, child prostitution and child pornography, Mr. Muntabhorn, for his report (E/CN.4/1994/84 and Add.1), which explored the many facets of the problem and presented recommendations on how to solve them. In his delegation's opinion, it was vital to increase international cooperation in the monitoring and control of the phenomena in question and to give more

attention to the issue of social development. Some common points existed, in terms of demand and supply, between the problems of the sale of children and of drug abuse and illicit trafficking. The international community must therefore tackle both the supply and the demand aspects of those problems and the United Nations system could play a crucial role in coordinating international cooperation on the basis of the recommendations made by the Special Rapporteur in his report. It was also clear that children would not be exploited if their parents were able to provide for them. Very often the sale of children was a result of poverty brought about by unemployment and a lack of resources. The sale of children and child prostitution were thus linked to overpopulation, poverty, employment, insecurity and the various other obstacles to social development.

21. The international community should therefore continue to monitor the situation and take the necessary measures, based on the Special Rapporteur's recommendations, to resolve the problem of demand while continuing to investigate means of securing socio-economic development in order progressively to eliminate the problem of supply.

22. His Government firmly believed that the well-being and protection of children should be an integral part of development programmes. It recognized that children had rights and strove to meet their needs and promote their development in all respects. Although Malaysia was not yet a party to the Convention on the Rights of the Child, it had long been implementing most of its provisions and would continue to do so through its laws and in practice. It had signed the World Declaration on the Survival, Protection and Development of Children in the 1990s and reaffirmed its commitment to the principles set out therein.

23. Mr. MARGINEAU (Romania) said that, despite progress in promoting the rights of children, mainly as a result of the elaboration of national and international instruments for their protection and the adoption of machinery to monitor the implementation of those instruments, the situation of children in some parts of the world remained serious. Although the developed countries were not totally unaffected, it was in the developing countries and in the most vulnerable strata of their populations that children suffered the most. In view of the considerable influence of economic circumstances on children's fate, there was a need not only for long-term activities to guarantee economic and social development, but also for emergency action in the context of development strategies to meet the immediate needs of the children at greatest risk. In addition to specific training for members of the professions in contact with children and information campaigns directed at the public and special groups such as travel agencies, tourists and military personnel, special attention should be given in development and development assistance plans to street children, teenage unmarried mothers, children from broken families and children in particularly difficult circumstances. Governments, specialized agencies, United Nations bodies and non-governmental organizations should, in particular, carry out more projects for the benefit of street children, for example, by setting up mobile units for social and medical assistance or reception and emergency centres.

24. His delegation welcomed the fact that the General Assembly had asked the Secretary-General to appoint an expert to prepare a global study on the protection of children in armed conflicts, and that the Commission on Human Rights envisaged setting up a working group to prepare guidelines for a draft convention on the sale of children, child prostitution and child pornography.

25. In Romania, the national Forum of non-governmental organizations on the protection of children recently held in Bucharest in cooperation with UNICEF, the Romanian National Committee for UNICEF and the ministries concerned, had followed the trend of those initiatives. The Forum had assessed the joint activities already undertaken and drawn up strategies for the social protection of children in the future. The Romanian National Committee for UNICEF had, with the support of the central and local authorities, organized children's rights days in 23 of Romania's 41 departments to bring the Convention to public attention, mobilize public opinion and ensure the rapid and continuing implementation of the Convention's provisions by all persons with responsibilities in education, health, the social protection of children, young people and large families, the environment and leisure activities. Symposia, debates and encounters held as part of these events with the help of prefectures and local authorities and associations had promoted genuine solidarity on behalf of children.

26. The establishment of a national Committee for the Protection of Children and the adoption of a children's benefits act and an act defining the legal status of abandoned children were also worthy of note. Laws on the protection and free education of refugee children were in drafting. Active efforts were being made to provide free medical assistance to all children. The Romanian National Committee for UNICEF and the municipal authorities of Bucharest had, together with a number of non-governmental organizations, devised a strategy to deal with the problem of street children and prevent its spread. In-depth studies were planned, along with the setting up of pilot centres for the reintegration of such children into their families and society.

27. There was no denying that, in the present difficult period of transition, Romania did not have all the resources needed to apply the measures adopted or envisaged. The Romanian Government was, however, confident that with the support of the international community it would be able to continue its efforts to implement the Convention on the Rights of the Child. As delegations would recall, all measures adopted in that regard had been carefully considered and assessed by the Committee on the Rights of the Child at its fifth session, during its consideration of the initial report of Romania.

28. Mr. BUTLER (Australia) said that the Convention on the Rights of the Child should be regarded as the clear expression of changes in thinking and in human values, for it dealt with problems which had not been envisaged in 1945 and thus to some extent supplemented the Charter of the United Nations. The Australian Government, which was deeply attached to the fundamental principles set out in the Convention, urged all States which had not yet done so to accede to or ratify that instrument and to implement it. His country was aware of its obligations and was therefore finalizing a national plan of action for implementing the World Declaration on the Survival, Protection and Development of Children. The plan focused on the Declaration's supporting

goals and on overseas aid of direct assistance to children. As the representatives of China and Malaysia had rightly stressed, poverty had a direct impact on the situation of children. The national plan of action contained details of the legislation and the administrative acts proposed or adopted by Australia to advance human rights by protecting the rights of children, particularly the most vulnerable and the most disadvantaged among them.

29. As part of its response to the International Year of the Family - which, as Mr. Muntabhorn had observed in his report on the sale of children (E/CN.4/1994/84 and Add.1), could be used to highlight the positive nexus between the child and the family - the Australian Government would shortly prepare a special "agenda for families". It would be based on existing policies and on a programme of community and government consultations and public awareness debates and would take account of the needs of all Australian children.

30. Australia had supported the resolutions adopted by the meeting of national institutions in Vienna in 1993 which had called for effective international action in accordance with the recommendations of the World Conference on Human Rights to end violations of children's rights. Mr. Muntabhorn had stressed in his report the need for international cooperation for the better implementation of measures to combat international trafficking in children and prosecute the clients of child victims of prostitution and pornography. As the Special Rapporteur had noted, Australia was preparing legislation to penalize the activities of Australian paedophiles overseas and all persons who facilitated or organized sex tourism involving children or profited from it. In addition, Australia's states and territories were being encouraged to develop criminal legislation to deal with the sexual abuse of children and associated activities such as the production, possession and sale of child pornography.

31. Australia welcomed all initiatives aimed at reinforcing the international protection of children, in particular the idea of elaborating a protocol to the Convention on the Rights of the Child to strengthen international mechanisms to combat child prostitution and other forms of sexual exploitation of children, and the proposal by the Committee on the Rights of the Child to raise the minimum age of recruitment into the armed forces to 18 and to prepare an optional protocol on that subject. It therefore supported the establishment of open-ended working groups for the drafting of the two protocols.

32. In Australia, as elsewhere, much remained to be done to ensure respect for the rights set out in the Convention. His country remained determined to do everything in its power to fulfil its own obligations in that regard, but it was also certain that international action was indispensable for building a world system in which children could truly exercise their rights and live in security.

33. Mr. RIOFRIO (Ecuador) said that the respect a society accorded to human rights could be judged by the way in which it treated its children, hence the importance of the Convention on the Rights of the Child. The increasing number of reservations being entered to the Convention was therefore a matter

for concern. The sale of children, child prostitution and child pornography were universal phenomena: industrialized societies were not exempt from them and they were furthermore linked to demand originating there. The rights of children were also flouted in armed conflicts, whence the need to seek ways of protecting them better in such circumstances, especially ways of assisting the victims of anti-personnel mines.

34. The exploitation of child labour affected the most vulnerable sectors of the population in developing countries worst. The plight of children in those countries was daily aggravated by the lack of economic and social development, poverty, the flight from the land and unemployment. It was naturally for the Governments concerned to rectify the situation and it was to be hoped that in drawing up their development plans they would take into account the Programme of Action adopted by the Commission on Human Rights at its forty-ninth session to put an end to child abuse and that the United Nations human rights bodies would monitor the Programme's implementation.

35. Mrs. KAYALI (Syrian Arab Republic) said that she had the honour of informing the members of the Commission that Syria had become a party to the Convention on the Rights of the Child in August 1993. The Convention was in keeping with the national laws in force and the Syrian authorities accorded great importance to matters concerning children, the family in general, the elimination of illiteracy and social and economic development. Unfortunately, the reforms required in those sectors were often neglected for lack of resources, the repercussions on the full realization of children's rights.

36. The Director of the World Health Organization had recently awarded the President of the Syrian Arab Republic a medal in recognition of his efforts on behalf of health. Major improvements had been made, particularly in preventive medicine and in the pharmaceutical industry, whose output now covered 70 per cent of the country's needs. The goals set by WHO in the "Health for all by the year 2000" programme had been 80-per-cent achieved in the Syrian Arab Republic and large-scale vaccination campaigns had been initiated there. Infant mortality had decreased and the entire population had access to drinking water. Symposiums had been held to improve public awareness of health issues.

37. Overpopulation remained one of the country's major challenges facing the country. The fertility rate was still high - 49 per cent of the population was under 15 years of age, but the authorities were conducting family planning campaigns, principally with help from UNESCO. Regarding education, goals had been set for the year 2000 and efforts were being made to ensure that schooling was as complete as possible. Rural renewal was one of the priorities of the national development plan. That plan, designed with help from UNDP, made provision for increased activity on the part of rural women.

38. Her delegation welcomed the designation of 1994 as the International Year of the Family. A national committee had been established to define the country's population policy and to protect the family as an institution. In accordance with the Syrian Constitution, the family must continue to be the basic nucleus of society.

39. Her country, like all others, had to contend with the scourges of the modern world - war, migrations, violence and drugs. It had, however, largely been spared those evils so far and the Syrian authorities were making efforts further to prevent them by educating the population.

40. The report of the Special Rapporteur on the sale of children (E/CN.4/1994/84) revealed that the problem of the sale of children, child prostitution and child pornography was an international one. The phenomenon was essentially due to the exploitation of children from poor countries by nationals of wealthy countries. Her delegation supported the draft resolution calling for the creation of a working group to prepare a draft convention on the sale of children, child prostitution and child pornography. It also wished to appeal to the international financial institutions and the bilateral and multilateral assistance agencies to encourage the economic development of the underprivileged countries and thus full respect for children's rights.

41. Mr. HELLER (Mexico) said that it was because it agreed that the protection and healthy and harmonious development of children were the best guarantee of a better future for all humanity that the Government of Mexico had participated in the World Summit for Children in 1990. That meeting had resulted in a declaration and a programme of action which all Governments had undertaken to implement. For its part, his Government had set up, to monitor implementation of the Plan of Action, a body in which all the competent governmental agencies participated and which regularly assessed progress in putting the recommended measures into effect. Those efforts had been crowned with success: infant mortality from preventable diseases had dropped sharply in 1990, 90 per cent of Mexican children had been vaccinated, diphtheria had been eradicated and cases of poliomyelitis had diminished, and in 1992 and 1993 deaths from diarrhoeal diseases had decreased by more than 50 per cent. There was still much to be done in other areas, but the Mexican Government was ready to face the challenge and step up its efforts on behalf of children, particularly in the areas of health and education.

42. The Convention on the Rights of the Child was a legal instrument of great value for all efforts to help children. His delegation was therefore gratified that all the Latin American countries had ratified it, so testifying to the importance they attached to children's rights, and it invited all countries which had not yet done so to follow their example. It also wished to pay tribute to the Committee on the Rights of the Child, for its very useful proposals on means of strengthening cooperation with States parties to the Convention and to UNICEF for its unremitting and effective work on behalf of children. The participants in the Vienna Conference had undertaken to protect the rights of children and had, in particular, recognized the need urgently to remedy the situation of millions of children in particularly difficult situations, such as children living in poverty, refugee children, street children and children who were the victims of armed conflict, and condemned the sale of children, child prostitution and child pornography. His Government earnestly hoped that the international community, and the Commission in particular, would take all necessary steps to honour those commitments.

43. Mrs. GORECKA (Poland) observed that the Convention on the Rights of the Child was the result of the recognition by the international community of the vulnerability of children - the first to be the victims of human rights violations. It was thanks to the Convention that children had become full-fledged subjects of law and had been fully incorporated into the human rights regulatory framework. The Convention was, moreover, one of the few to encapsulate the full range of human rights, thus reaffirming the principle of their indivisibility and interdependence. By January 1994, 154 States had ratified the Convention or had acceded to it. Those were welcome developments, for recognized rights must be both formally and practically upheld. In that regard, she observed that respect for the right to life of every child necessarily entailed international cooperation and solidarity among States and international organizations.

44. The World Conference on Human Rights had recommended that all States should ratify the Convention by 1995. As the World Summit for Children had done, it had denounced the situation of millions of children and young people both in the developing countries and in the industrialized nations who continued to experience extremities of privation and abuse and to be subjected to violence in wars, the streets and their own homes. It had appealed for the strengthening of international cooperation and the effective implementation of States' commitments. Formal undertakings to establish national programmes of action to guarantee minimum rights for children had been given by 149 countries.

45. Children's dignity was flouted in many countries throughout the world; the 1990s had thrown down a new challenge to the international community in that regard. Without wishing to, children, who were the most vulnerable victims of war, played an active role in conflicts and it was estimated that, in the previous 10 years alone, one and a half million children had been killed in armed conflicts and four million wounded, amputated or severely disabled. The issue of child soldiers was closely bound up with the exploitation of child labour; depending on the country, different criteria applied to the age of conscription, which theoretically was between 15 and 18. In practice, however, much younger children were enrolled. Her delegation fully supported the draft protocol prepared by the Committee on the Rights of the Child to protect children in armed conflicts, which put the minimum age of enrolment at 18 in accordance with the definition of the child contained in the Convention on the Rights of the Child.

46. States must regard education - the child's first steps towards the adult world - as a high priority, since it was not only a need but also a fundamental right. As for the means whereby the international community might achieve all the goals it had set in respect of children, her delegation considered that the Commission should establish a forum to discuss the violations of children's rights and to encourage States to collect and disseminate information on them so as to stimulate public support for the protection of children. Her Government, a long-time advocate of the Convention on the Rights of the Child, would support any initiative to make its provisions as effective as possible. The future of children's rights depended on the respect accorded to human rights in general.

47. Mr. DESSER (Austria) said that, in the four years since the Convention on the Rights of the Child had come into force, the importance the international community gave to the protection of children had definitely increased. The fact remained, however, that millions of children were still suffering. In some countries, for example, every fourth child had AIDS because of child prostitution, many children lived in the streets and the press-ganging of children continued to feed the fires of armed conflicts. That was despite the efforts of individuals, institutions and Governments to combat child prostitution and the work of the Committee on the Rights of the Child and other bodies to arouse public awareness of the problem.

48. Respect for the dignity of children was an essential part of protecting human rights. His delegation was determined to ensure that children could effectively enjoy all their inherent rights. It therefore welcomed the steps taken internationally to enforce the norms and standards set out in the Convention on the Rights of the Child.

49. The presentation of reports on the situation of children in specific countries was proving to be an efficient method of remedying legislative and administrative shortcomings. In Austria, steps were being taken to bring national law into line with the Convention. To combat the sale of children, child prostitution and illegal transnational adoption, multilateral cooperation was essential; positive results could already be seen. Only a comprehensive approach could resolve the problems at issue, and the international community as a whole must strive to disseminate the principles of the Convention. It would also be advisable to improve advisory services and technical assistance so as to strengthen the fight against sex tourism. Other tragedies that must not be ignored were those of the child victims of armed conflicts, child refugees and internally displaced persons, or child soldiers recruited by force. The international community was duty bound to mobilize to overcome the numerous problems of child protection and must never forget that children's physical and mental well-being constituted a source of life and hope for all countries.

50. Mr. LILLO (Chile) said that the documents on the rights of the child before the Commission made plain the particularly delicate international nature of the issue. The report submitted by the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/1994/84) was thoughtful and useful. Governments, United Nations bodies and other international organizations and NGOs should continue to cooperate to remedy serious violations of children's rights.

51. The background to children's plight was one in which economic and social factors, sexual and racial discrimination and, in some countries, organized crime networks all played a part. The causes of that terrible situation lay in the existence of, on the one hand, acute poverty compounded by lack of education and, on the other, demand from persons able to pay for trade and illicit trafficking in children. Unscrupulous intermediaries, who often had the complicity of corrupt officials, formed the link between the sources of supply and demand. Although all violations of human rights merited severe condemnation by the international community, crimes against children were particularly heinous. Governments must, therefore, urgently and determinedly attack the evil at its roots. There was a need not only for legal measures,

but also for political, economic and educational measures to create better conditions of life and a better understanding of the rights of the child, particularly in the marginal sectors from which the majority of the victims came.

52. The use of children for prostitution and pornography, like illicit trafficking in children and human organs, called for reflection on the principle of joint responsibility, since demand had a decisive influence on the existence and the continuation of such criminal practices. The Convention on the Rights of the Child was a valuable legal instrument in that regard and a praiseworthy first effort to protect and promote children's rights. In expressing his delegation's pleasure at the number of States which had decided to ratify the Convention or accede to it, he stressed that the mechanism of reservation should only be used exceptionally and could under no circumstances serve as a pretext for non-compliance with the Convention.

53. The Committee on the Rights of the Child had requested the Secretary-General to prepare an optional protocol to the Convention concerning children in periods of armed conflict. The draft prepared by the Secretary-General was basically intended to prevent the enrolment of young people under 18 years of age in the regular armed forces. He drew attention in that regard to the fact that the first three articles of the Geneva Conventions contained provisions enforceable against all the parties to a conflict occurring within a single State. An amendment to Protocol II relating to the Protection of Victims of Non-International Armed Conflicts might also be envisaged.

54. The Commission's work on children's rights, especially on the problem of the sale of children and their use in prostitution and pornography, merited special attention by Governments and all governmental and non-governmental national and international institutions. The international community should examine above all the situation of children belonging to the vulnerable sectors of the population, such as refugees, internally displaced persons, ethnic minorities, migrant workers and indigenous populations. In some totalitarian countries, children were also subjected to various kinds of indoctrination - a serious violation of freedom of opinion and of the right to individual development free from all partisan influences. It should not be forgotten that all the violations he had mentioned affected not only children, the initial victims, but society as a whole. The damage thus caused, which was considerable and sometimes irreparable, required the urgent taking of specific measures to contain the violations' harmful social effects as far as possible. That necessitated the redefinition of national development strategies and the boosting of national cooperation in pursuit of a goal that was among the highest defined at Vienna - respect for the rights of children.

55. Mrs. CANDIDA PEREZ (Brazil) said that the Vienna Declaration and Programme of Action gave high priority to the protection and promotion of the rights of the child. Nearly everywhere in the world, however, children were victims of neglect, exploitation, cruelty and the horrors of war. The basic needs of children and families were constantly sacrificed in the context of economic adjustment programmes. Despite the almost universal ratification of the International Convention on the Rights of the Child, implementation of the Convention was generally far from satisfactory. In many countries, only a

very small proportion of government expenditure was allocated to food, primary health care, primary education, drinking water supply or family planning. Throughout the world, and even in the developed countries, children were the target of the worst forms of violence and cruelty, not only in the streets but also at school and at home.

56. The Committee on the Rights of the Child had an important role to play in helping States to implement the Convention. Her delegation therefore hoped that the Committee would focus more on aspects of cooperation between States, specialized agencies and intergovernmental and non-governmental organizations. The parameters used by the Committee to appraise States' implementation of the Convention should not be uniform but should, for example, take into account differences in levels of development.

57. One of the poorest states of the Brazilian Federation, the State of Ceara, had received the 1993 UNICEF Maurice Pate award for the success of its efforts to achieve the goals defined by the World Summit for Children. Never before had the award been given to a Latin American country. UNICEF had also acknowledged Brazil's success in eradicating poliomyelitis in three years and reducing the number of births per woman by more than 50 per cent in one generation. Her country was also making notable efforts to establish basic child health programmes. The fight against hunger, which was one of the Brazilian Government's priorities, included the distribution of natural food supplements to undernourished children in the north-east region and a nationwide milk and soybean oil distribution programme for children and pregnant women. In 1991, Brazil had adopted a comprehensive law for the protection of children and a statute of the child and the adolescent. The implementation of the law was monitored by the National Council for the Rights of Children and Adolescents, which had been set up in 1992. The Brazilian Government was firmly determined to curb the problem of violence against street children.

58. The report of the Special Rapporteur on the sale of children, child prostitution and child pornography depicted intolerable situations which required a vigorous reaction from the international community. Cooperation between States and intergovernmental and non-governmental organizations was essential for the prevention and suppression of the sale of children and other forms of child exploitation. Brazil had joined the sponsors of draft resolution E/CN.4/1994/L.23, which gave continuity to General Assembly resolution 48/156 and stressed the need for international measures to prevent the sale of children, child prostitution and child pornography.

59. Mr. QUIOSA (Angola) said that in Luanda, his country's capital, cases of children who had been abandoned by their parents or whose parents were dead or missing because of the intransigence of Unita could be seen every day. The efforts of the international community to save those children were enormous and UNICEF, for example, had always been at the forefront of initiatives to save orphans and abandoned and homeless children in Angola.

60. According to UNICEF figures, infant mortality had fallen worldwide over the past five years. Unfortunately, that state of affairs did not apply to Angola on account of the barbaric and inhuman war which Mr. Savimbi's military

organization had inflicted on the country. Approximately 4,000 children died every month as a consequence of the war and another 5,000 of diseases which could be prevented by vaccination and other preventive measures.

61. Following the proclamation of the International Year of the Child, the Government of Angola had in March 1991 set up the National Children's Commission to ensure the legal protection and social promotion of the country's children. Reception centres had been established for street children and abandoned children, and a national symposium on children had discussed education, health and nutrition programmes and analytical studies of the related problems and obstacles.

62. His delegation considered that all countries and intergovernmental and non-governmental organizations should take more vigorous action to assist children wherever they might be who were the victims of injustice, mercilessly exploited or exposed to prostitution.

63. Mrs. KIRUI (Kenya) said that it was clear that the imbalance between North and South in standards of living and quality of life would worsen if families in poor countries remained unable to provide not just for their children's education but even for their basic needs. Poverty was the principal reason why children were exposed to prostitution, forced labour and pornography and children's rights could not be fully realized unless the poverty issue was squarely addressed. Without going into details on the origins of poverty in the world, her delegation wished to note that the Commission had in the past stressed that the unfair international economic order was one of the underlying causes. That having been said, it shared the Special Rapporteur's opinion that poverty was no justification for the exploitation of children.

64. To resolve the problem of child exploitation, answers must be found to the questions why parents sold their children, what motivated people to drive children into prostitution or pornography, whether those practices took place merely because there were customers for them and what could be done at the individual, family, national and international levels to curb them. There were several measures Governments and the international community could take in the short and medium terms. For example, States could reappraise national development strategies so as to ensure more equitable resource distribution and enable needy children and their families to re-enter economic and social life. Her delegation also supported the call to States to promote the promulgation of laws to incriminate customers and intermediaries in cases of sexual and other forms of child exploitation.

65. Mr. WIDODO (Indonesia) said that his country had ratified the International Convention on the Rights of the Child in August 1990 and had submitted its initial report to the Committee on the Rights of the Child in September 1993 and additional information following the Committee's consideration of that document. While Indonesia attached considerable importance to, and remained willing to cooperate in the Committee's work, it felt it necessary to reassert that the Committee was an instrument of dialogue and should therefore refrain from functioning as a mechanism of investigation and operate rather as a reconciliatory body. The legalistic and selective approach pursued to date could prove counter-productive. The Committee should

rather be guided by the principles of universality, objectivity, impartiality and non-selectivity stipulated in the Vienna Declaration and Programme of Action.

66. His Government fully subscribed to the principle that education was the foundation of respect for the rights of the child, particularly in States which, like Indonesia, were still burdened with the problem of illiteracy. Education was furthermore an indispensable instrument for the exercise of other human rights. Increased access to the school system undoubtedly contributed to the suppression of child labour and of the exploitation of children. His country had never claimed that its current laws were adequate to ensure the implementation of the Convention. It had, however, undertaken reforms to bring them into line with the provisions of the Convention and to define programmes to ensure the protection and development of children.

67. The fundamental principle set out in article 3, paragraph 1, of the Convention, that "the best interests of the child shall be a primary consideration", would be meaningless if the importance of international cooperation was overlooked. The organizations and agencies of the United Nations system should continue to provide States with the assistance necessary for compliance with their obligations and should boost the budgets allotted to the sectors concerned with the promotion and protection of children's rights. Better implementation of the Convention was also dependent on the urgent provision of advisory services and technical assistance. Lastly, non-governmental organizations genuinely involved in human rights also had a role to play in the promotion and protection of the rights of the child in Indonesia.

The meeting rose at 6 p.m.